IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3593 OF 2005 IN
CRIMINAL REVISION APPLICATION NO.23 OF 2004

Nandkishor N. Ranade ...Applicant

vs.

1.State of Maharashtra
2.Satyanarayan B. Agarwal ...Respondents

Ms R.P.Mohite-Dere for the Applicant
Mr.Nitin Jamdar for the Respondent
Mr.A.S.Gadkari,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : JULY 8,2005.

P.C.:

1. Heard Counsel appearing for the parties. The learned Counsel for the Applicant stated that the compliance is made by the Applicant with order dated 17th June 2005 by paying a sum of Rs.50,000/- to the Respondent No.2 and further amount of Rs.5,000/- by way of costs. The statement is accepted.

2. The application is for extension of time to deposit a sum of Rs.1,50,000/-. The application is strongly opposed by the learned Counsel for Respondent No.2 by pointing out that only because the Applicant offered to pay principal amount by filing undertaking dated 20th December 2004, the Respondent No.2 accepted the suggestion and has given up the claim for interest. He therefore submitted that no indulgence can be shown to the Applicant as the Respondent No.2 has already lost a substantial amount by way of interest.

3. As per the undertaking dated 20th December 2004 filed by the Applicant, the entire amount was to be paid by last week of May 2005. Now, a sum of Rs.1,00,000/- remains payable by the Applicant. Considering the fact that the Applicant has paid a substantial amount and has complied with the order dated 17th June 2005, extension deserves to be granted in favour of the Applicant only by way of last chance.

4. Hence, the Application is disposed of by directing that,

i) Time to pay the balance amount of Rs.1,00,000/- is extended by a period of six weeks from today. It is made clear that no further extension will be granted.

5. Place the Criminal Revision Application No.23 of 2004 for consequential order after six weeks. It is made clear that if the sum of Rs.1,00,000/- is not deposited by the Applicant within the period of six weeks from today, ad-interim order granted in Criminal Revision Application on 22nd January 2004 will be vacated.

JUDGE